

AMENDED IN SENATE AUGUST 2, 2010

AMENDED IN SENATE JULY 1, 2010

AMENDED IN ASSEMBLY APRIL 29, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2515

Introduced by Assembly Member V. Manuel Pérez

February 19, 2010

An act to amend Section 116380 of, *and to add and repeal Section 116761.25 of*, the Health and Safety Code, relating to drinking water, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2515, as amended, V. Manuel Pérez. Public water systems: point-of-use treatment.

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and requires the State Department of Public Health to adopt regulations for these purposes, as prescribed. Under existing law, regulations adopted by the department are required to include requirements governing the use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment, where feasible.

This bill would make findings and declarations relating to groundwater contamination in *the* Coachella Valley, and would authorize the department to develop emergency regulations governing the permitted use of *point-of-entry and* point-of-use treatment by public water systems

in lieu of centralized treatment, as specified, and would require that these emergency regulations remain in effect until the earlier of January 1, 2014, or the effective date of the required nonemergency regulations.

This bill would, until January 1, 2014, authorize the department to award a grant for point-of-entry and point-of-use treatment, in lieu of centralized treatment, by a public water system that serves a severely disadvantaged community, as defined.

Existing law establishes the Safe Drinking Water State Revolving Fund, administered by the State Department of Public Health, and continuously appropriates the money in the fund to that department to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards.

This bill would, until January 1, 2014, permit the State Department of Public Health to provide a grant for point-of-entry and point-of-use treatment under those provisions, thereby making an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares both of the
- 2 following:
- 3 (a) The arsenic contamination groundwater problem in the
- 4 southeastern Coachella Valley in Riverside County is largely
- 5 naturally occurring and is creating barriers to accessing safe
- 6 drinking water.
- 7 (b) There are many limitations to providing the small,
- 8 unincorporated communities in the Coachella Valley access to
- 9 safe drinking water.
- 10 SEC. 2. Section 116380 of the Health and Safety Code is
- 11 amended to read:
- 12 116380. (a) In addition to the requirements set forth in Section
- 13 116375, the regulations adopted by the department pursuant to
- 14 Section 116375 shall include requirements governing the use of
- 15 point-of-entry and point-of-use treatment by public water systems
- 16 in lieu of centralized treatment where it can be demonstrated that

1 centralized treatment is not immediately economically feasible,
2 limited to the following:

3 (1) Water systems with less than 200 service connections.

4 (2) Usage allowed under the federal Safe Drinking Water Act
5 and its implementing regulations and guidance.

6 (3) Water systems that have submitted preapplications with the
7 State Department of Public Health for funding to correct the
8 violations for which the *point-of-entry and point-of-use* treatment
9 is provided.

10 (b) The department shall adopt emergency regulations governing
11 the permitted use of *point-of-entry and point-of-use* treatment by
12 public water systems in lieu of centralized treatment.

13 (1) The emergency regulations shall comply with Section
14 116552, and shall comply with all of the requirements set forth in
15 subdivision (a) applicable to nonemergency regulations, but shall
16 not be subject to the rulemaking provisions of the Administrative
17 Procedure Act (Chapter 3.5 (commencing with Section 11340) of
18 Part 1 of Division 3 of Title 2 of the Government Code). The
19 emergency regulations shall take effect when filed with the
20 Secretary of State, and shall be published in the California Code
21 of Regulations.

22 (2) The emergency regulations adopted pursuant to this
23 subdivision shall remain in effect until the earlier of January 1,
24 2014, or the effective date of regulations adopted pursuant to
25 subdivision (a).

26 *SEC. 3. Section 116761.25 is added to the Health and Safety*
27 *Code, to read:*

28 *116761.25. (a) The State Department of Public Health may*
29 *award a grant pursuant to subdivision (b) of Section 116761.23,*
30 *through January 1, 2014, for point-of-entry and point-of-use*
31 *treatment, in lieu of centralized treatment, by a public water system*
32 *meeting the requirements of subdivision (b) of Section 116380 and*
33 *regulations adopted pursuant to that subdivision, for the full cost*
34 *of the project, if that system serves a severely disadvantaged*
35 *community as defined pursuant to subdivision (j) of Section 13476*
36 *of the Water Code.*

37 *(b) The grant shall specify that equipment purchased under the*
38 *grant with remaining useful life after completion of the project*
39 *shall be provided for use in other projects meeting the requirements*
40 *of Section 116380 or disposed of in accordance with state and*

1 *federal requirements if there is no useful life after completion of*
2 *the project, as determined by the department.*

3 *(c) This section shall remain in effect only until January 1, 2014,*
4 *and as of that date is repealed, unless a later enacted statute, that*
5 *is enacted before January 1, 2014, deletes or extends that date.*

6 ~~SEC. 3.~~

7 *SEC. 4.* This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety within
9 the meaning of Article IV of the Constitution and shall go into
10 immediate effect. The facts constituting the necessity are:

11 In order to ensure the quality of drinking water *through the*
12 *adoption of provisions* relating to ~~point-of-use treatment,~~
13 *point-of-entry and point-of-use treatment, at the earliest possible*
14 *time*, it is necessary that this act take effect immediately.